

LONDON BOROUGH OF CROYDON

REPORT:	CABINET	
DATE OF DECISION	28 JUNE 2023	
REPORT TITLE:	Joint Children’s Social Care and Housing Protocol for Care Experienced Young People	
CORPORATE DIRECTOR	DEBBIE JONES, INTERIM CORPORATE DIRECTOR OF CHILDREN, YOUNG PEOPLE AND EDUCATION SUSMITA SEN, CORPORATE DIRECTOR OF HOUSING	
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LEAD MEMBER:	CLLR MARIA GATLAND CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE CLLR LYNNE HALE DEPUTY MAYOR AND CABINET MEMBER FOR HOMES	
KEY DECISION?	YES	3123EM Decision significantly impacts on communities living or working in an area comprising two or more Wards.
CONTAINS EXEMPT INFORMATION?	NO	Public
WARDS AFFECTED:	All	

1. SUMMARY OF REPORT

- 1.1 As a Corporate Parent, the council is ambitious and wants to provide the same level of care and support that other young people get from their parents. However, the report outlines the current arrangements in place for Care Experienced Young People transitioning from care into independence and highlights housing provision as one of the challenges for Croydon Council in delivering a good standard of provision to these young people.

- 1.2 To address the issues, the report sets out the improved pathway developed jointly between Housing and Children's Services and acknowledges that Care Experienced Young People are a vulnerable group of young adults who need support to ensure they have the necessary skills to live independently and are provided with safe, affordable and suitable homes as they move onto independence.
- 1.3 The report also outlines that there is an increasing demand expected from Care Experienced Young People over the next few years. The revised pathway will provide corporate financial efficiencies to enable the Council to effectively respond and address the current and future housing and support needs to ensure every young person reaches their potential to become independent, confident adults.

2. RECOMMENDATIONS

For the reasons set out in the report and its appendix, the Executive Mayor in Cabinet is recommended:

- 2.1 To approve Croydon's Joint Children's Social Care and Housing Protocol for Care Experienced Young People which underpins a new way of working to improve outcomes for young people.
- 2.2 To note that the effectiveness of the new arrangements and measures of success will be reported through the Corporate Parenting Board and existing directorate performance management frameworks to ensure decisive actions are taken to address any issues.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To adopt a strategic and shared approach to responding to the housing and support needs of Care Experienced Young People as part of a Croydon Corporate Parenting three-year strategy.
- 3.2 To support a smooth transition from care to independence by ensuring all young people have access to suitable accommodation advice and support.
- 3.3 To avoid homelessness amongst Care Experienced Young People.

4. BACKGROUND AND DETAILS

- 4.1 Croydon Council has committed to a Whole Council Approach to Corporate Parenting of Looked After Children and Care Experienced young people up to the age of 25 years.
- 4.2 Care Experienced young people's experiences of attempting to access a home and support when leaving care at age 18 is varied and can often lead to them feeling that

they are no longer cared for or held in mind. This can result in experiences of instability in their home and education/employment arrangements, impact negatively on their mental and physical health and wellbeing, as they sometimes have no other option than to 'sofa surf' or become homeless.

- 4.3** “I struggled to manage my first independent housing experience when I left care. I sofa surfed for a while. My personal advisor helped me to realise that I needed a new home, that was safe and a stable base. I was ready but not expecting to be treated like I was a stranger by the Council that had looked after me for 12 years. I was made to use the homelessness route to access my next home.” (Composite feedback from Care Experienced Young People).
- 4.4** Currently, a total of 458 of our Care Experienced young people between the age of 18 and 25 are living in temporary accommodation, mainly in studio flats and shared rooms in a house without a move-on plan. The young people are referred by Children’s Service to Housing a few months before their 18th birthday. Housing Service maintains a waiting list and sources accommodation in the private rented sector to meet this housing need.
- 4.5** The temporary accommodation allocation to Care Experienced young people is not linked to a homelessness application or assessment and is therefore not included in the temporary accommodation quarterly returns to the government which in turn impacts on the level of homelessness grant that the Council is allocated.
- 4.6** The temporary accommodation schemes used to accommodate the Care Experienced young people is procured based on a Private Sector Model (PSL) which means that rent charges are limited under Housing Benefit regulations to 90% of Jan 2011 Local Housing Allowance (LHA) levels. However, the landlords are paid higher current LHA rates plus a management fee to secure the required level of property supply. Therefore, the costs are not fully recovered through rents.
- 4.7** Children’s Services cover some of the cost by paying equivalent of 25% of the rent of each young person who is entitled to claim benefits (those who have recourse to Public Funds). This charge is used to offset non-payment of rent, mainly due to a shortfall in housing benefit claims. Children’s Services also cover the full rent of each young person who is not entitled to claim benefits (those who have no recourse to Public Funds). This position is being reviewed a part of an improvement programme which will incorporate benchmarking effective joint housing and children’s social care practice and cost effectiveness measures to realise a positive impact on wider council savings.
- 4.8 Preventing homelessness and promoting positive outcomes**
- 4.9** The average age that young people leave their family home to live independently in England has increased to 23 years old (Office of National Statistics 2022). Care Experienced young people are often facing this transition at a much earlier age and require wrap around support and care from their Corporate Parent. In Croydon we are committed through the Mayor’s Business Plan and Croydon’s Corporate Parenting

Strategy, to actively develop more opportunities for care experienced young people to have the best start into their early adulthood. Having a safe and stable home forms part of the key foundations to achieving success. As with all young people, there will be times when plans do not work out for a variety of reasons and Care Experienced young people will need support.

- 4.10** Under homelessness legislation young people who were formerly in care aged 18-20 are automatically in 'priority need'. This means that if they become homeless there is a duty to provide accommodation.
- 4.11** Care leavers aged 21 and over do not have an automatic priority need under homelessness legislation, but the local housing authority must take into account the effect that being in care may have had on that young person in assessing whether they should be deemed as vulnerable. If they are found to be vulnerable, they will be owed the same housing duties as 18–20-year-olds in terms of the local authority having a duty to provide accommodation.
- 4.12** The duty to provide permanent accommodation does not arise where someone has been found to have become intentionally homeless. This refers to a deliberate act or omission which has resulted in that person's homelessness; for example, a deliberate non-payment of rent or giving up accommodation which was otherwise suitable. However, the Homelessness Code of Guidance states that local authorities should do all they can to avoid the impact of 'intentionally homeless' decisions on Care Leavers. [Chapter 22 of the Homelessness code of guidance](#) lays out the good practice guidance in this area.
- 4.13** As set out in 4.4. above, most Care Experienced young people move on from care into temporary accommodation without going through the homelessness assessment process and most can initially sustain their own accommodation with or without support. It is once the young person has been in their accommodation for a few months that the risk of homelessness can occur. This may be due to not feeling safe in their location, difficulties managing money and rent arrears, isolation and mental wellbeing challenges.
- 4.14** The independent Review of Children's Social Care was a commitment from the Governments manifesto to ensure that children and young people get the support that they need. The review launched in March 2021, the findings and recommendations were published on the 23.5.22. The Governments response to the review on the 2.2.23 stated that Local Authorities are required to introduce a stronger safety net against care leaver homelessness.
- 4.15** Housing legislation encourages decision-making based on individual circumstances rather than 'blanket' positions. A key driver for the revised pathway is to better support Care experienced Young People to ensure homelessness is not part of their experience. Housing and Children's Social Care are working together to analyse conditions that contribute to the determination of intentional homelessness amongst Care Experienced Young People. The analyse will inform a joint agreement between

Housing and Children's Social Care regarding how to ensure support is provided to mitigate against the impact of this change in approach.

4.16 Local Offer

4.17 An increase in demand is expected from Care Experienced Young People over the next few years which demonstrates the need for change for the Council and its partners to not only work differently, but to also improve the accommodation pathway escalation.

4.18 The joint protocol is an opportunity for staff from Children and Housing services to work together and build shared responsibility for supporting care leavers through a successful transition to adulthood and independent living.

4.19 Young people leaving care have a variety of needs and each person requires an accommodation and support package to meet their individual needs. To manage this process a Joint Housing and Children's Social Care Panel consisting of Housing and Children's services professionals will be established and will meet regularly to discuss the housing and support needs of each young person and agree a clear pathway to securing accommodation.

4.20 The basic principle for young people transitioning to independence is that every child is an individual with different wishes, needs and aspirations. Therefore, good preparation, a gradual transition and flexible ongoing support and housing options are key to helping Care Experienced Young People achieve a successful move to independent living. The improved pathway which is summarised below will be based on this principle:

- i. Children Services will work with a young person to identify, develop, and review a holistic Pathway Plan. As part of this, they will assess the young person's housing needs and discuss accommodation options before the age of 18.
- ii. Housing Services will act as the Housing Agent for Children's Services for the purposes of identifying, sourcing and allocating the appropriate housing solution for the young person.
- iii. The Joint Panel will consider the housing and support needs and agree the likely and most suitable accommodation option.
- iv. This pathway will apply to both current young people living in temporary accommodation and new ones transitioning into adulthood. For the former, a review of their circumstances will be carried out to determine the suitable accommodation option.

4.21 The accommodation options considered by the joint panel will include the following:

- a) **Supported living:** - Supported Lodgings, Staying Put with Foster carers, Shared lives accommodation and support for adults living with a family in the community. Semi-independent shared housing with support and University accommodation.

- b) **Supported housing accommodation** - This accommodation may be suitable for young people not ready or able to manage their own tenancy.
- c) **Private rented accommodation** – most young people capable of independent living, with some support, will be offered accommodation in the private rented sector. For most, this will be shared accommodation which can reduce social isolation among young people and help with the transition to their own flat where they will be responsible for all utilities and others bills. In addition, support from a Personal Adviser can move with the young person as they transition to settled accommodation.
- d) **Social housing** - due to the very limited supply of social housing available, a quota will be established to ensure the housing needs of young people with complex needs is met. We will also explore all opportunities with all supply partners, such as Registered Providers to increase the supply. Housing Tenancy Services will provide a package of support for those allocated such accommodation, including furnished flats, decorated homes, and dedicated tenancy support while the young person is in their new home to help sustain the tenancy.
- e) **Emergency accommodation** - every effort will be made to avoid a placement into emergency accommodation such as bed and breakfast (B&B); this is unsuitable accommodation for Care Experienced young people save in the most exceptional circumstances.

4.22 Supporting Care Leavers to be the best they can be.

4.23 As a Corporate Parent, the council wants to be ambitious for its' Care Experienced Young People and provide them with a range of support so they can be the best they can be and help them deal with the challenges of stepping up into homeownership.

4.24 They will be signposted and supported to consider home ownership or shared ownership opportunities where appropriate. The Housing Department can provide signposting to a variety of schemes.

4.25 Governance

Effectiveness of the new arrangements and report measures of success through our Corporate Parenting Board and existing directorate performance management frameworks to ensure decisive actions are taken to address any issues.

5 ALTERNATIVE OPTIONS CONSIDERED

5.1. The Council could choose not to revise the current pathway. This would not be in the interests of the Council or the Care Experienced Young People as it is not considered good Corporate Parenting practice and is therefore not recommended.

6 CONSULTATION

- 6.1** Independent review of children's social care incorporates wide consultation.
- 6.2** The recommendation is also based on Croydon's learning from Complaints by Croydon Care Experienced young people regarding their experiences of struggling to obtain a stable home and safety.
- 6.3** Further consultation is planned to monitor ongoing needs and experiences to inform improvement plan.

7 CONTRIBUTION TO COUNCIL PRIORITIES

- 7.1** The proposals contained within this report contribute to the following outcome in the Mayors Business Plan for 2022- 2026.
 - Children and young people in Croydon have the chance to thrive, learn and fulfil their potential.
- 7.2** It also aligns with Corporate Parenting Strategy 2023-2025

8 IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

- 8.1.1** This report sets an intention to change the pathway for care leavers, managed by the Housing Service working alongside colleagues in Children's Social Care services.
- 8.1.2** There will be financial implications to these changes depending on the mix of new pathways and the level of support being generally provided to Care Experienced Young People
- 8.1.3** There are currently 458 care experienced young people living in temporary accommodation who are unable to fully maximise housing benefit claims alongside due to benefits rules. With an agreed approach to transfer these young people from temporary accommodation to settled accommodation, full benefit maximisation will be realised with reduced reliance on wider council resources. Temporary accommodation costs are historically high because in addition to rent, accommodation costs may include management fees and bond claims as an example.

- 8.1.4 A client-by-client review is required to fully understand the potential pressure that each Directorate may face going forward. With agreed transformation funding further detailed analysis will commence. Due to the number of young people and the complications involved this will require time to understand the full financial implications.
- 8.1.5 Further work and detailed analysis is required to assess the full impact of this revision. The current route for care leavers is both expensive and inadequate for vulnerable young adults moving out of care. Making this change should initially have minimal financial impact with potentially large non-financial benefits which will deliver cost avoidance benefits related to council and other agency services.

Approved by: Sarah Attwood (Head of Housing Finance). 02/05/2023. Maiyani Henry-Hercules (Head of Children's Social Care Finance. 15/6/2023).

8.2 LEGAL IMPLICATIONS

- 8.2.1 Local authorities have a duty under Children Act 1989, as amended by the Children (Leaving Care) Act 2000 and the Children and Social Work Act 2017, to support young people and promote their welfare when they have ceased to look after them. The plan for each young person is set out in their pathway plan where their goals and aspirations are clearly outlined.
- 8.2.2 The new duties in the Children and Social Work Act 2017 extended support to care leavers to age 25. This has increased the number of young people entitled to support.
- 8.2.3 The Local Authority is obliged to ensure Care Leavers can access key services, including suitable housing, emotional wellbeing support and support to access education, training and employment.
- 8.2.4 The Children and Social Work Act 2017 (CWSA) strengthened the role of local authorities as corporate parents and applies to all local authorities as set out in section 1(3) of the Act. The CWSA also extended the provision of Personal Adviser support to care leavers up to the age of 25, whether or not they are in education or training, which the care leaver can choose to take up. It is therefore important that joint housing protocols cover the support available from a local authority area to care leavers up to the age of 25.
- 8.2.5 All local authorities have a legal obligation to support young people making a transition from care to independence. Local authorities are required under section 2 of the CWSA to publish a local offer, which sets out the services and the support available for care leavers. The local offer should provide information about the Care Leavers' statutory entitlements as well as any discretionary support available. It should set out how care leavers are supported to access suitable accommodation, including the support available from housing services. Joint housing protocols should be aligned with the local offer and can help to ensure that the commitments to support care leavers to access and sustain accommodation are met.

Approved by Doutimi Aseh on behalf of the Director of Legal Services and Monitoring Officer. (07/06/2023)

- 8.2.6 Housing Authorities must have regard to the Homelessness Code of Guidance for Local Authorities issued by the Department for Levelling, Housing and Communities (DLUHC) in exercising their functions under Part 7 of the Housing Act 1996 and the Homelessness Act 2022.
- 8.2.7 Social services authorities must also adhere to the Homelessness Code of Guidance for Local Authorities issued by DLUHC and the guidance issued by the Department of Education when exercising their functions that relate to homelessness and the prevention of homelessness. The current Department for Education guidance is '*Working Together to Safeguard Children*'. [Chapter 22 of the Homelessness Code of Guidance](#) sets out specific guidance on the provision of homelessness services and specific duties to Care Leavers who are homeless or threatened with homelessness. The following is covered:
- (a) Corporate parenting duties placed on housing authorities;
 - (b) Joint working arrangements between housing authorities and children's services authorities;
 - (c) Prevention and relief of homelessness;
 - (d) Assessing Care Leavers priority need for accommodation: and
 - (e) Provision of suitable accommodation.

Approved by Sandra Herbert Head of Litigation and Corporate Law on behalf of Stephen Lawrence-Orumwense the Director of Legal Services and Monitoring Officer. (19/06/2023)

8.3 EQUALITIES IMPLICATIONS

- 8.3.1 This recommendation promotes Care Experienced Young People, as a priority group, to enable them to achieve a safe and stable home.
- 8.3.2 Under the Public Sector Equality Duty of the Equality Act 2010, decision makers must evidence consideration of any potential impacts of proposals on groups who share the protected characteristics, before decisions are taken. This includes any decisions relating to how authorities act as employers; how they develop, evaluate and review policies; how they design, deliver and evaluate services, and also how they commission and procure services from others.
- 8.3.3 Section 149 of the Act requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it.

8.3.4 Protected characteristics defined by law include race and ethnicity, disability, sex, gender reassignment, age, sexual orientation, pregnancy and maternity, and religion or belief. The Joint Children’s Social Care and Housing Protocol will promote the equality of opportunity for Care Experienced young people, who although not currently a protected characteristic reflect many of the protected characteristics defined by law. We are committed to continually reviewing equalities and the range and impact of care and housing provisions. This is to ensure that the needs of those protected under the Equality act 2010 are continuously considered and reflected in Childrens Social Care and Housing improvements.

8.3.5 The EQIA that was carried out concluded that there are no potential negative equality implications. It is however necessary for the department to collect data based on all equality characteristics to ensure that young people may receive a service which meets their needs. It is particularly important that data is collected regarding disability to ensure that young people affected by mental health or other disabilities are looked after in line with the protocol.

Approved by: John Mukungunugwa, Interim Senior Equalities Officer on behalf of Denise McCausland, the Equalities Programme Manager. Date: 12/06/2023

8.4 HUMAN RESOURES IMPLICATIONS

8.4.1 There is no immediate HR impact in regard to this report.

Approved by Jennifer Sankar (Head of HR for Housing Directorate & Sustainable Communities, Regeneration & Economic Recovery Directorate) on behalf of the Dean Shoesmith, Chief People Officer. Date: 14/06/2023

9 APPENDICES

Appendix 1 – Joint Children’s Social Care and Housing Protocol for Care Experienced Young People.

Appendix 2 – Equality Impact Assessment.

10 BACKGROUND DOCUMENTS

None

11 URGENCY – N/A